

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 17, 2020

SEAN F. McAVOY, CLERK

U.S.A. vs. Ochoa-Quinones, Benjamin Docket No. 0980 2:19CR00057-001

Petition for Action on Conditions of Pretrial Release

COMES NOW Curtis G. Hare, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Benjamin Ochoa-Quinones, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the court at Spokane, Washington, on the 20th day of March 2019 under the following conditions:

Special Condition No. 18: Refrain from any use of alcohol.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

Violation No. 1: It is alleged that Benjamin Ochoa-Quinones is in violation by consuming alcohol.

On March 25, 2019, the probation office reviewed the conditions of release with Mr. Ochoa and the defendant signed a copy of the conditions indicating that he understood the conditions. Mr. Ochoa was provided a copy of the conditions.

On November 3, 2019, Mr. Ochoa's five year old daughter was killed in a fire that consumed the defendant's mother's residence. Mr. Ochoa was at the scene of the fire shortly after it started, but was unable to enter the trailer due to the fire's intensity.

On December 5, 2019, the probation officer contacted Mr. Ochoa at his residence. The defendant was asked if he was drinking and Mr. Ochoa admitted that he had been, as an attempt to deal with his grief. The defendant was counseled by the probation officer and directed to engage in substance abuse treatment to help him deal with the grief in a more productive way. On January 9, 2020, the probation officer again was in contact with Mr. Ochoa at his residence. He reported that he was now sober, but admitted he had consumed alcohol after the December 5, 2019, conversation. The probation officer could not detect the odor of alcohol on his person. The defendant advised that he was in contact with the treatment program, Social Treatment Opportunity Program (STOP), and attending treatment. This officer confirmed with STOP that Mr. Ochoa is now engaged in treatment.

Due to the traumatic circumstances of the death of Mr. Ochoa's daughter and his renewed efforts to return to sobriety and engage in treatment, it is recommended that no further action be taken at this time. Should Mr. Ochoa relapse or present any other violation behavior, a report will be submitted to the Court to request further action.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

Re: Ochoa-Quinones, Benjamin

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I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: January 16, 2020

by s/Curtis G. Hare

Curt Hare
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

January 17, 2020

Date